

Request for Reconsideration
Application No. 10/091,531

PTO-1449 filed on March 7, 2002 initialed by the Examiner to thereby indicate consideration of the references listed thereon.

Claims 1-8 have been examined. For the following reasons it is respectfully submitted that applicants' invention as disclosed and claimed in the subject application patentably distinguishes over the prior art and is otherwise patentable.

Claims 1-4 have been rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Nakahara (US 2002/0070194). Claims 5-8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakahara in view of Yamamoto (US Patent 6,399,399). These rejections are respectfully traversed.

Claims 1 and 5 are independent. Each of these claims requires ashing a photo-sensitive material using a gas mixture containing oxygen gas or ozone gas and nitrogen gas, wherein the percentage composition of nitrogen gas is 50% or more. At least because neither of the cited references disclose or suggest an ashing step as claimed in independent claims 1 and 5 and their respective dependent claims 2-4 and 6-8, the claims of the subject application clearly patentably distinguish over the cited references taken alone or in combination. For example, neither of the cited references discloses the use of a gas mixture as claimed wherein the percentage composition of nitrogen gas in the mixture is 50% or more.

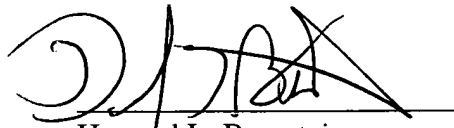
In view of the foregoing it is submitted that independent claims 1 and 5, and their dependent claims 2-4 and 6-8, being all the claims presently in the application, patentably distinguish over the prior art and are otherwise in condition for allowance. It is therefore requested that application be passed to issue at the earliest possible time.

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If the Examiner does not find this application in condition for allowance he is respectfully requested to call the undersigned attorney at the Washington D.C. telephone number 293-7060 to discuss the steps necessary for placing the application in condition for allowance.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'H. Bernstein', written over a horizontal line.

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CUSTOMER NUMBER

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